

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

Amend the amendment in Part A in section 1 in the 3rd line (page 1, line 24 in amendment) by striking out the following: "\$69,800,000" and inserting the following: '\$20,000,000'

Amend the amendment in Part A by striking out all of section 6 and inserting the following:

**‘Sec. A-6. Allocations from General Fund bond issue.**The proceeds of the sale of the bonds authorized under this Part must be expended as designated in the following schedule.

**DEPARTMENT OF TRANSPORTATION**

**General Fund**

\$20,000,000

Provides funds for state highway reconstruction and paving.

Amend the amendment in Part A in section 10 by striking out the question (page 3, lines 25 to 27 in amendment) and inserting the following:

"Do you favor a \$20,000,000 bond issue to create jobs in Maine through improvements to state highways?"

Amend the amendment in Part B by inserting before section 1 the following:

**‘Sec. B-1. PL 2009, c. 414, Pt. B, §1** is amended to read:

**Sec. B-1. Authorization of bonds.** The Treasurer of State is authorized, under the direction of the Governor, to issue bonds in the name and on behalf of the State in an amount not exceeding ~~\$25,000,000~~\$23,500,000 for the purposes described in section 6 of this Part. The bonds are a pledge of the full faith and credit of the State. The bonds may not run for a period longer than 10 years from the date of the original issue of the bonds. At the discretion of the Treasurer of State, with the approval of the Governor, any issuance of bonds may contain a call feature.

**Sec. B-2. PL 2009, c. 414, Pt. B, §6** is amended to read:

**Sec. B-6. Allocations from General Fund bond issue.**The proceeds of the sale of the bonds authorized under this Part must be expended as designated in the following schedule.

**MAINE HISTORIC PRESERVATION  
COMMISSION**

~~\$1,500,000~~ \$1,250,000

Establishes a revolving fund for the purpose of acquiring significant historic properties.

**DEPARTMENT OF ECONOMIC AND  
COMMUNITY DEVELOPMENT**

~~\$3,500,000~~ \$2,500,000

Provides funds to make investments under the Communities for Maine's Future Program in competitive community and economic revitalization projects, which must be matched with at least ~~\$3,500,000~~ \$2,500,000.

**Maine Technology Institute**

\$3,000,000

Provides funds for research and development and commercialization as prioritized by the Office of Innovation's current Science and Technology Action Plan for Maine. The funds must be allocated to environmental and renewable energy technology, biomedical an biotechnology, aquaculture and marine technology, composite materials technology, advanced technologies for forestry and agriculture, information technology and precision manufacturing technology through a competitive process and must be awarded to Maine-based public and private institutions and must be awarded to leverage matching funds of at least \$3,000,000.

**Brunswick Naval Air Station Redevelopment**

\$8,000,000

Provides for redevelopment projects at the Brunswick Naval Air Station, including the rehabilitation of buildings, federal Americans with Disabilities Act and fire code compliance and other site improvements, including up to \$4,750,000 for the development of a higher education engineering and economic development center. These funds will leverage \$32,500,000 in federal funds.

**FINANCE AUTHORITY OF MAINE**

\$1,000,000

Provides grants for food processing for fishing, agricultural, dairy and lumbering industries within the State.

**Economic Recovery Loan Program  
Small Enterprise Growth Fund**

~~\$3,000,000~~ \$2,750,000

\$5,000,000

Provides funds for disbursements to qualifying small businesses in the State seeking to pursue eligible projects.

**Sec. B-10. Referendum for ratification; submission at election; form of question; effective date.** This Part must be submitted to the legal voters of the State at a statewide election held in June 2010 following passage of this Act. The municipal officers of this State shall notify the inhabitants of their respective cities, towns and plantations to meet, in the manner prescribed by law for holding a statewide election, to vote on the acceptance or rejection of this Part by voting on the following question:

"Do you favor a ~~\$25,000,000~~\$23,500,000 bond issue to provide capital investment to stimulate economic development and job creation by making investments under the Communities for Maine's Future Program and in historic properties; providing funding for research and development investments awarded through a competitive process; providing funds for disbursements to qualifying small businesses; and providing grants for food processing for fishing, agricultural, dairy and lumbering businesses within the State and redevelopment projects at the Brunswick Naval Air Station that will make the State eligible for over ~~\$39,000,000~~\$38,000,000 in federal and other matching funds?"

The legal voters of each city, town and plantation shall vote by ballot on this question and designate their choice by a cross or check mark placed within a corresponding square below the word "Yes" or "No." The ballots must be received, sorted, counted and declared in open ward, town and plantation meetings and returns made to the Secretary of State in the same manner as votes for members of the Legislature. The Governor shall review the returns. If a majority of the legal votes are cast in favor of this Part, the Governor shall proclaim the result without delay and this Part becomes effective 30 days after the date of the proclamation.

The Secretary of State shall prepare and furnish to each city, town and plantation all ballots, returns and copies of this Part necessary to carry out the purposes of this referendum.'

Amend the amendment in Part B in section 1 in section C-1 in the 3rd line (page 4, line 3 in amendment) by striking out the following: "\$15,450,000" and inserting the following: '\$12,250,000'

Amend the amendment in Part B in section 2 in section C-6 under the caption "**DEPARTMENT OF HEALTH AND HUMAN SERVICES**" by striking out all of that part designated "**Safe Drinking Water Revolving Loan Fund**" (page 4, lines 16 to 24 in amendment) and inserting the following:

**Safe Drinking Water Revolving Loan Fund**

Provides funds for a drinking water revolving loan fund to acquire, design, plan, construct, enlarge, repair, protect or improve drinking water supplies or treatment systems to be matched by ~~\$17,000,000~~\$22,000,000 in other funds.

~~\$3,400,000~~ \$4,400,000

Amend the amendment in Part B in section 2 in section C-6 under the caption "**DEPARTMENT OF ENVIRONMENTAL PROTECTION**" by striking out all of that part designated "**Wastewater Treatment Facility State Revolving Loan Fund**" (page 4, lines 36 to 42 in amendment) and inserting the following:

**Wastewater Treatment Facility State  
Revolving Loan Fund**

Provides funds for a wastewater treatment  
facility state revolving loan fund to be matched  
by ~~\$15,000,000~~\$20,000,000 in other funds.

~~\$3,000,000~~ \$4,000,000

Amend the amendment in Part B in section 3 in section C-10 by striking out the question (page 6, lines 3 to 7 in amendment) and inserting the following:

"Do you favor a ~~\$10,250,000~~\$12,250,000 bond issue to improve water quality, support drinking water programs and the construction of wastewater treatment facilities and to assist farmers in the development of environmentally sound water sources that will leverage ~~\$33,250,000~~\$43,250,000 in federal and other funds?"

Amend the amendment in Part C in section 1 in section D-1 in the 3rd line (page 6, line 23 in amendment) by striking out the following: "\$38,500,000" and inserting the following: '\$18,000,000'

Amend the amendment in Part C by striking out all of section 2 and inserting the following:

**Sec. C-2. PL 2009, c. 414, Pt. D, §6**, as amended by PL 2009, c. 571, Pt. PP, §2, is further amended to read:

**Sec. D-6. Allocations from General Fund bond issue.**The proceeds of the sale of the bonds authorized under this Part must be expended as designated in the following schedule.

**PUBLIC UTILITIES COMMISSION**

**Public Utilities Commission**

\$12,000,000 \$5,000,000

Provides funds for weatherization and energy efficiency programs for low and middle income households and small businesses. If the energy efficiency programs of the commission are transferred to another entity established by the Legislature, the commission shall transfer all unexpended funds to that entity.

**UNIVERSITY OF MAINE SYSTEM**

**University of Maine System**

\$9,500,000 \$4,280,000

Provides funds for energy and infrastructure upgrades at all campuses of the University of Maine System.

**MAINE COMMUNITY COLLEGE SYSTEM**

**Maine Community College System**

\$5,000,000 \$2,260,000

Provides funds for energy and infrastructure upgrades at all campuses of the Maine Community College System.

**MAINE MARITIME ACADEMY**

**Maine Maritime Academy**

\$1,000,000 \$460,000

Provides funds for energy and infrastructure upgrades at the Maine Maritime Academy.

~~**DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES**~~

**UNIVERSITY OF MAINE SYSTEM**

**Maine Marine Wind Energy Demonstration Site Fund**

\$6,000,000

Provides funds for research, development and product innovation associated with developing one or more ocean wind energy demonstration sites.

Amend the amendment in Part C in section 3 in section D-10 in the question in the 6th line (page 8, line 22 in amendment) by striking out the following: "\$38,500,000" and inserting the following: '\$18,000,000'

Amend the amendment by striking out all of Parts D, E, F and G and inserting the following:

**PART D**

**Sec. D-1. PL 2009, c. 414, Pt. E, §1** is amended to read:

**Sec. E-1. Authorization of bonds.** The Treasurer of State is authorized, under the direction of the Governor, to issue bonds in the name and on behalf of the State in an amount not exceeding ~~\$10,000,000~~\$5,000,000 for the purposes described in section 6 of this Part. The bonds are a pledge of

the full faith and credit of the State. The bonds may not run for a period longer than 10 years from the date of the original issue of the bonds. At the discretion of the Treasurer of State, with the approval of the Governor, any issuance of bonds may contain a call feature.

**Sec. D-2. PL 2009, c. 414, Pt. E, §5** is amended to read:

**Sec. E-5. Disbursement of bond proceeds.** The proceeds of the bonds must be expended as set out in this Part under the direction and supervision of the Executive Department, State Planning Office and the Department of Conservation. The proceeds of the bonds for the Land for Maine's Future Board must be expended for acquisition of land and interest in land for conservation, water access, outdoor recreation, wildlife and fish habitat, farmland preservation in accordance with the provisions for such acquisitions under the Maine Revised Statutes, Title 5, chapter 353 and working waterfront preservation in accordance with the terms of this Part, including all costs associated with such acquisitions, except that use of the proceeds of these bonds is subject to the following conditions and requirements.

1. Hunting, fishing, trapping and public access may not be prohibited on land acquired with bond proceeds, except to the extent of applicable state, local or federal laws, rules and regulations and except for working waterfront projects and farmland protection projects.

2. Payment from bond proceeds for acquisitions of local or regional significance, as determined by the Land for Maine's Future Board, may be made directly to cooperating entities as defined in Title 5, section 6201, subsection 2 for acquisition of land and interest in land by cooperating entities, subject to terms and conditions enforceable by the State to ensure its use for the purposes of this Part. In addition to the considerations required under Title 5, chapter 353, the board shall give a preference to acquisitions under this subsection that achieve benefits for multiple towns and that address regional conservation needs including public recreational access, wildlife, open space and farmland.

3. The bond funds expended for conservation, recreation, farmland and water access must be matched with at least ~~\$6,500,000~~\$3,000,000 in public and private contributions. Seventy percent of that amount must be in the form of cash or other tangible assets, including the value of land and real property interest acquired by or contributed to cooperating entities, as defined in Title 5, section 6201, subsection 2, when property interests have a direct relationship to the property proposed for protection, as determined by the Land for Maine's Future Board. The remaining 30% may be matching contributions and may include the value of project-related, in-kind contributions of goods and services to and by cooperating entities.

4. Of the bond proceeds allocated to the Land for Maine's Future Board, ~~\$1,000,000~~\$500,000 must be made available to protect farmland in accordance with Title 5, section 6207.

5. Of the bond proceeds allocated to the Land for Maine's Future Board, ~~\$2,000,000~~\$1,000,000 must be made available to protect working waterfront properties in accordance with Public Law 2005, chapter 462, Part B, section 6.

6. To the extent the purposes are consistent with the disbursement provisions in this Part, 100% of the bond proceeds may be considered as state match for any federal funding to be made available to the State.

**Sec. D-3. PL 2009, c. 414, Pt. E, §6** is amended to read:

**Sec. E-6. Allocations from General Fund bond issue.** The proceeds of the sale of the bonds authorized under this Part must be expended as designated in the following schedule.

**EXECUTIVE DEPARTMENT**

**State Planning Office**

**Land for Maine's Future Board**

Provides funds in order to leverage \$6,500,000 \$3,000,000

~~\$6,500,000~~\$3,000,000 in other funds to be used for the acquisition of land and interest in land for conservation; water access, wildlife and fish habitat; outdoor recreation, including hunting and fishing; and farmland preservation.

Provides funds to be used for working \$1,000,000 \$500,000

farmland preservation in order to leverage ~~\$1,000,000~~\$500,000 in other funds.

Provides funds to be used for working \$2,000,000 \$1,000,000

waterfront preservation in order to leverage ~~\$2,000,000~~\$1,000,000 in other funds.

**DEPARTMENT OF CONSERVATION**

**Bureau of Parks and Lands**

Provides funds to preserve state parks and \$500,000  
properties managed by the Department of  
Conservation.

**Sec. D-4. PL 2009, c. 414, Pt. E, §10** is amended to read:

**Sec. E-10. Referendum for ratification; submission at election; form of question; effective date.** This Part must be submitted to the legal voters of the State at a statewide election held in November 2010 following passage of this Act. The municipal officers of this State shall notify the inhabitants of their respective cities, towns and plantations to meet, in the manner prescribed by law for holding a statewide election, to vote on the acceptance or rejection of this Part by voting on the following question:

"Do you favor a ~~\$10,000,000~~\$5,000,000 bond issue to invest in land conservation and working waterfront preservation and to preserve state parks to be matched by ~~\$9,500,000~~\$4,500,000 in federal and other funds?"

The legal voters of each city, town and plantation shall vote by ballot on this question and designate their choice by a cross or check mark placed within a corresponding square below the word "Yes" or "No." The ballots must be received, sorted, counted and declared in open ward, town and plantation meetings and returns made to the Secretary of State in the same manner as votes for members of the Legislature. The Governor shall review the returns. If a majority of the legal votes are cast in favor of this Part, the Governor shall proclaim the result without delay and this Part becomes effective 30 days after the date of the proclamation.

The Secretary of State shall prepare and furnish to each city, town and plantation all ballots, returns and copies of this Part necessary to carry out the purposes of this referendum.’

Amend the amendment by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

## **SUMMARY**

This amendment reduces funding provided by bonds authorized in Public Law 2009, chapter 414 as follows:

1. It reduces funding for the Maine Historic Preservation Commission by \$250,000;
  2. It reduces funding for the Communities for Maine's Future Program by \$1,000,000;
  3. It reduces funding for the Economic Recovery Loan Program by \$250,000;
  4. It reduces funding for weatherization and energy efficiency programs by \$7,000,000;
  5. It reduces funding for higher education building renovations by \$8,500,000;
  6. It reduces funding for the Maine Marine Wind Energy Demonstration Site Fund by \$5,000,000;
- and
7. It reduces funding for the Land for Maine's Future Board by \$5,000,000.

This amendment reduces the increase in funding for the Safe Drinking Water Revolving Loan Fund from \$2,000,000 to \$1,000,000 for a total of \$4,400,000 and it reduces the increase in funding for the Wastewater Treatment Facility State Revolving Loan Fund from \$3,200,000 to \$1,000,000 for a total of \$4,000,000. It reduces the transportation bond from \$69,800,000 to \$20,000,000 and limits the use of the proceeds from the transportation bond to funding for state highway reconstruction and paving. It removes the authorization for a \$5,000,000 bond issue for a community-based teaching clinic and for upgrades to community-based health and dental care clinics and removes the implementing language for this bond issue.

## **FISCAL NOTE REQUIRED** **(See attached)**